

REMARKS

Claims 1-13 were pending. Claims 3 and 8-13 have been canceled without prejudice, claim 6 has been amended and new claims 14-20 have been added. Accordingly, claims 1, 2, 4-7 and 14-20 will be pending upon entry of the present amendment.

No new matter has been added. Claims 4 and 6 were amended to correct typographical errors. Support for new claims 14-20 can be found, for example, at least in Tables 1 and 2 and at page 1 of the specification as originally filed.

Applicant and her attorney would like to thank the Examiner for finding the subject matter of formerly pending claims 18-31 of parent Application No. 08/958,374 to be allowable. (See page 1 of the May 12, 2002 Office Action, Paper No. 26.) New claims 14-20 are directed to the subject matter of formerly pending claims rewritten in independent format. With this in mind, Applicant submits that the claims are in condition for allowance upon entry of this amendment and response.

Cancellation of and/or amendments to the claims should in no way be construed as an acquiescence to any of the Examiner's objections and/or rejections. The cancellation of the claims is being made solely to expedite prosecution of the above-identified application. Applicant reserves the option to further prosecute the same or similar claims in the present or another patent application. The amendments made to the claims are not related to any issues of patentability.

Response to Restriction Requirement Under §121

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

Group I: Claims 1-2, 4-13, drawn to a method of treating obesity, classified in class 514, subclass 556.

Group II: Claims 1, 3, 11-13, drawn to a method of treating cachexia, classified in 514, subclass 556.

Applicant hereby elects Group I, without traverse.

Response to Species Election

The Examiner has required Applicant to elect, under 35 U.S.C. §121, a single disclosed compound species for prosecution on the merits. Applicant hereby elects *creatine*. It is Applicant's understanding that the species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched.

SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephonic conference with Applicant's Attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

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Respectfully submitted,

By 

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